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14 **UNITED STATES DISTRICT COURT**
15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

16 LA CLINICA DE LA RAZA, *et al.*,

17 *Plaintiffs,*

18 v.

19 DONALD J. TRUMP, *et al.*,

20 *Defendants.*

Case No. 19-cv-4980 (PJH)

**DECLARATION OF JOSHUA M.
KOLSKY IN SUPPORT OF
ADMINISTRATIVE MOTION FOR
EXTENSION OF PAGE LIMITATION
APPLICABLE TO REPLY IN SUPPORT
OF MOTION TO DISMISS**

1. I am a Trial Attorney in the Federal Programs Branch in the U.S. Department of Justice's Civil Division. I have personal knowledge of the contents of this declaration, and I could and would testify competently to the following if called upon to do so.
2. Plaintiffs argued in one paragraph that the Ninth Circuit's opinion in *City & Cty. of S.F. v. United States Citizenship & Immigration Servs.*, 944 F.3d 773, 800 (9th Cir. 2019) "is not controlling." See Pls' Opp'n to Defs' Mot. to Dismiss, ECF No. 167 at 11. Defendants' reply must devote multiple pages to that argument.
3. Plaintiffs argued in one short paragraph that the DHS public charge rule expands the public charge test to a new group not contemplated by the Immigration and Nationality Act. See *id.* at 16. That is an argument to which other plaintiffs in similar cases have devoted more than a page. See, e.g., *Washington v. DHS*, No. 19-5210, Pls' Resp. to Defs' Mot. to Dismiss Am. Compl., ECF No. 233, at 24-26 (E.D. Wash.). To adequately respond, Defendants had to devote approximately two-thirds of a page to that argument.
4. This case is complex, and Plaintiffs' Amended Complaint contains eight claims and 230 paragraphs of allegations.
5. When Plaintiffs moved for a preliminary injunction motion, they sought additional pages in part because of the "complex background of public charge." Pls' Administrative Mot. to Exceed Page Limits, ECF No. 29, at 2.
6. Defendants have attempted to be as concise as reasonably possible but Defendants expect that they will require 19 pages in order to adequately address the legal issues in dispute.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true.

Signed: July 23, 2020

Joshua M. Kolsky

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